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09/749,825 Art Unit 2623  
Submission of RCE in Response to October 19, 2005 Final Office Action

### REMARKS

In response to the final Office Action dated October 19, 2005, the Assignee respectfully requests reexamination and reconsideration based on the above amendments and on the following remarks. The Assignee respectfully submits that the pending claims distinguish over the cited documents.

Claims 1 and 4-47 are currently pending in this application. Claims 2, 3, and 48-51 have been canceled without prejudice or disclaimer.

The United States Patent and Trademark Office (the "Office") rejected claims 1, 3, 9, 30, and 36 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Claims 1-4, 15-20, 22-39, and 44-51 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,005,861 to Humpleman in view of U.S. Patent 6,611,537 to Edens *et al.* Claims 5-14, 21, and 40-43 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Humpleman* in view of *Edens* and further in view of U.S. Patent 6,732,366 to Russo. The Assignee shows, however, that the pending claims fully comply with the written description requirement. Moreover, the Assignee shows the pending claims are not obviated by the cited documents. The Assignee thus respectfully submits that the pending claims distinguish over the cited documents.

### Rejections under § 112

The Office rejected claims 1, 3, 9, 30, and 36 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. In the advisory action mailed May 16, 2006, the Office removed the § 112 rejection of claims 3, 9, and 36. The rejection was maintained, however, for independent claims 1 and 30.

Independent claims 1 and 30 have now been amended. Because the § 112 rejection was removed with respect to claim 3, claims 1, 30, and 36 have been amended to recite the same

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features. Claim 3 has now been canceled. The Assignee thus respectfully requests reconsideration in light of the amendments made to claims 1 and 30.

**Rejection of Claims under § 103 (a) over Humpleman and Edens**

Claims 1, 4, 15-20, 22-39, and 44-46 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,005,861 to Humpleman in view of U.S. Patent 6,611,537 to Edens *et al.* If the Office wishes to establish a *prima facie* case of obviousness, three criteria must be met: 1) combining prior art requires “some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill”; 2) there must be a reasonable expectation of success; and 3) all the claimed limitations must be taught or suggested by the prior art. DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2143 (orig. 8<sup>th</sup> Edition) (hereinafter “M.P.E.P.”).

Claims 1, 4, 15-20, 22-39, and 44-46 cannot be obvious. These claims recite, or incorporate, features that are not taught or suggested by the combined teaching of Humpleman and Edens. Independent claim 1, for example, recites “multiple tuners and demodulators sending information signals to a media bus” and “a system data bus coupled to the media bus and receiving the information signals.” Independent claim 1 also recites “a network bus coupled to the system data bus and receiving the information signals” and “a data switch connected to the network bus, the data switch receiving the information signals and sending the information signals to a plurality of switch ports.” A mass storage device is also “connected to the system data bus and stor[es] the information signals.” Support for such features may found at least at page 22, line 16 through page 23, line 16 and FIG. 6 of the as-filed application.

Humpleman and Edens does not teach at least these features. Examiner Shannon is correct — the combined teaching of Humpleman and Edens shows an FM tuner and a DSS tuner connected to a ring network. See, e.g., U.S. Patent 6,611,537 to Edens *et al.* at column 13, lines 56-61. Yet no where does the combined teaching of Humpleman and Edens disclose or suggest “a system data bus coupled to the media bus and receiving the information signals.” The

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combined teaching of *Humpleman* and *Edens* also fails to teach or suggest "a network bus coupled to the system data bus and receiving the information signals" and "a data switch connected to the network bus, the data switch receiving the information signals and sending the information signals to a plurality of switch ports." *Humpleman* and *Edens* is also silent to a mass storage device "connected to the system data bus and stor[es] the information signals." The combined teaching of *Humpleman* and *Edens*, in fact, is entirely silent to the "media bus," the "network bus," and the "system data bus" as recited in the independent claims.

Claims 1, 4, 15-20, 22-39, and 44-46, then, are not obvious. The proposed combination of *Humpleman* and *Edens* is silent to many features recited, or incorporated, in these claims. Because the proposed combination of *Humpleman* and *Edens* is entirely silent to many features recited in these claims, one of ordinary skill in the art would not think that the claims are obvious. The *prima facie* case for obviousness, then, must fail, so the Office is respectfully requested to remove the § 103 rejection of claims 1, 4, 15-20, 22-39, and 44-46.

**Rejection of Claims 5-14, 21 & 40-43 under 35 U.S.C. § 103 (a)**

Claims 5-14, 21, and 40-43 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Humpleman* in view of *Edens* and further in view of U.S. Patent 6,732,366 to Russo. The proposed combination of *Humpleman*, *Edens*, and *Russo*, however, still fails to teach or suggest all the claimed features of the independent claims 1 and 36, from which claims 5-14, 21, and 40-43 depend. No where, for example, does the proposed combination disclose or suggest "a system data bus coupled to the media bus and receiving the information signals." The combined teaching of *Humpleman*, *Edens*, and *Russo* also fails to teach or suggest "a network bus coupled to the system data bus and receiving the information signals" and "a data switch connected to the network bus, the data switch receiving the information signals and sending the information signals to a plurality of switch ports." The combined teaching of *Humpleman*, *Edens*, and *Russo* is also silent to a mass storage device "connected to the system data bus and stor[es] the information signals." The combined teaching of *Humpleman*, *Edens*, and *Russo*, in fact, is entirely silent to the "media bus," the "network bus," and the "system data bus" as recited in the

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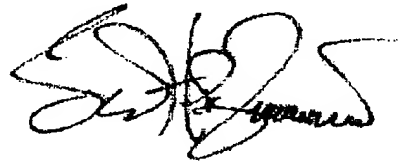
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independent claims. Because the proposed combination of *Humpleman*, *Edens*, and *Russo* is silent to at least these features of the independent claims 1 and 36, one of ordinary skill in the art would not have considered the claimed subject matter obvious. Therefore, the Assignee respectfully submits that claims 5-14, 21, and 40-43 are considered allowable over any combination of *Humpleman*, *Edens*, and *Russo*.

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If any questions arise, the Examiner is invited contact the undersigned at (919) 469-2629 or [scott@wzpatents.com](mailto:scott@wzpatents.com).

Respectfully submitted,



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